

1 Ralph C. Loeb, Esq. (#124773)
2 **KRANE & SMITH**
3 16255 Ventura Boulevard
Suite 600
Encino, CA 91436

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4 Tel: (818) 382-4000
5 Fax: (818) 382-4001

6 Attorneys for Plaintiff, LIFE ALERT
EMERGENCY RESPONSE, INC.

7
8 UNITED STATES DISTRICT COURT
9
10 CENTRAL DISTRICT OF CALIFORNIA

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12 LIFE ALERT EMERGENCY
RESPONSE, INC., a
13 California corporation,

14 Plaintiff,

15 vs.

16 NETSTAKE, LLC, a North
Carolina limited liability
17 company,

18 Defendant.
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CASE NO. CV08-05088 GHK (SHx)

**[PROPOSED] FINAL JUDGMENT AND
PERMANENT INJUNCTION**

1 Plaintiff, LIFE ALERT EMERGENCY RESPONSE, INC. ("Plaintiff")
2 and Defendant, NETSTAKE, LLC ("Defendant"), having stipulated to a
3 Final Judgment and Permanent Injunction, and having waived any
4 required findings of fact and/or conclusions of law, and having
5 further waived any additional notice, and having stipulated and
6 agreed that this Final Judgment and Permanent Injunction may be
7 entered forthwith;

8 **IT IS ORDERED, ADJUDGED AND DECREED:**

9 1. Defendant, its officers, agents, servants, distributors,
10 representatives, employees, attorneys, and any person or entity
11 acting on behalf of, through, or in concert or participation with
12 Defendant, or any person, parent, subsidiary, or affiliated entity
13 of Defendant (collectively the "Enjoined Parties"), are hereby
14 permanently, restrained, enjoined and prohibited, directly or
15 indirectly, by any means, method or device whatsoever, from using
16 the trademarks "Life Alert", "Help, I've Fallen and I Can't Get
17 Up!" and "I've Fallen and I Can't Get Up!", or any imitations or
18 variations thereof, in connection with the sale, offering for sale,
19 distribution, manufacturing, advertising, or promotion of goods
20 and/or services by an Enjoined Party, and/or in connection with any
21 website;

22 2. This Final Judgment and the Permanent Injunction
23 contained herein shall be binding upon the Enjoined Parties upon
24 entry by the Court without further notice to any party. The Court
25 shall retain jurisdiction of this matter for purposes of
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1 enforcement, performance and modification of this Permanent
2 Injunction.

3 3. No bond shall be required to secure this Final Judgment
4 or Permanent Injunction.

5 **ORDER**

6 **IT IS SO ORDERED:**

7 Dated: 11/7/08



JUDGE OF THE UNITED STATES
DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

9 **SUBMITTED BY:**

10 KRANE & SMITH, APC
11

12 By: _____
13 Ralph C. Loeb, Esq.
14 Attorneys for Plaintiff
15 LIFE ALERT EMERGENCY RESPONSE, INC.

16 **APPROVED AS TO FORM:**

17 HEDRICK, GARDNER, KINCHELOE &
18 GAROFALO, LLP

19 By: _____
20 Thomas M. Buckley
21 Attorneys for Defendant NETSTAKE, LLC
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